

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

HECTOR RODRIGUEZ,
 Petitioner,
 v.

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CIVIL NO. 10-7556

R. M. LAWLER, et al.,
 Respondents

ORDER

AND NOW, this 25th day of March, 2011, upon consideration of the Petition for Writ of Habeas Corpus, and after review of the Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated February 28, 2011, to which no objections have been filed, it is hereby **ORDERED** that:

- 1) The Report and Recommendation is **APPROVED** and **ADOPTED** and the Petition will be held in abeyance pending exhaustion of state remedies;
- 2) this case shall be placed on the civil suspense docket and Petitioner shall exhaust all claims in state court;
- 3) within thirty days of the conclusion of the state court proceedings, including any appellate proceedings related thereto, Petitioner shall notify the Court that those proceedings are concluded and the case is ready to proceed in this Court;
- 4) the Clerk shall mark this case closed for statistical purposes.

IT IS SO ORDERED.

/s/ Paul S. Diamond

Paul S. Diamond, J.